

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt  
Clerk

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Re: Case No. 22-2043, *Thomas Lunneen v. Village of Berrien Springs, MI, et al*  
Originating Case No. : 1:20-cv-01007

Dear Sir or Madam,

The Court issued the enclosed (Order/Opinion) today in this case.

Sincerely yours,

s/Connie A. Weiskittel  
Mediation Administrator

cc: Ms. Ann E. Filkins

Enclosure

No mandate to issue

Case No. 22-2043

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

**ORDER**

THOMAS E. LUNNEEN, personal representative of the estate of Jack C. Lunneen

Plaintiff - Appellee

v.

VILLAGE OF BERRIEN SPRINGS, MI; ORONOKO TOWNSHIP, MI; COUNTY OF BERRIEN, MI; JAMES WYSS, in his individual capacity and in his official capacity as officer for Berrien Springs-Oronoko Township Police Department; L. PAUL BAILEY, in his individual capacity and in his official capacity as Sheriff of the Berrien County Sheriff's Department; PAUL E. TOLIVER, in his individual capacity and in his official capacity as Chief of Police for the Berrien Springs Oronoko Township Police Department; UNKNOWN PARTIES, named as John Does 1-10, in their individual and official capacities

Defendants

and

ROGER JOHNSON, in his individual capacity and in his official capacity as deputy for the Berrien County Sheriff's Department

Defendant - Appellant

In accordance with Rule 33, Rules of the Sixth Circuit, and upon consideration of the Motion for Voluntary Dismissal filed by the Appellant,

It is **ORDERED** that the case is dismissed pursuant to 42(b), Federal Rules of Appellate Procedure.

**ENTERED PURSUANT TO RULE 33,  
RULES OF THE SIXTH CIRCUIT**

Deborah S. Hunt, Clerk



Issued: January 23, 2023